Proposed REGULATION ORDER (after incorporating proposed changes)

Title 13, California Code of Regulations, Chapter 13, Article 1, Sections 2601 – 2610

Title 13, California Code of Regulations
Division 3, Air Resources Board
Chapter 13, Voluntary Accelerated Vehicle Retirement Enterprises
Article 1, Voluntary Accelerated Light-Duty Vehicle Retirement Enterprises

§2601 Definitions:
(a) “CO” means carbon monoxide, as emitted in vehicle exhaust.
(b) “Collector-interest vehicle” means any vehicle purchased by a collector or enthusiast primarily for its historic or esthetic value, rather than primarily as a means of transportation.
(c) “Day” means any week or weekend day including all holidays.
(d) ”Dismantle” means to punch, crush, stamp, hammer, shred, or otherwise render permanently and irreversibly incapable of functioning as originally intended, any vehicle or vehicle part.
(e) “Dismantler” means the person or business, defined and licensed according to the requirements of California Vehicle Code §220, §221, §11500, et seq., and other business codes and the regulations of the Department of Motor Vehicles (DMV), who dismantles or otherwise removes from service those vehicles obtained as part of a Voluntary Accelerated Vehicle Retirement (VAVR) enterprise.
(f)) “District” means a local air quality management district or air pollution control district, as defined by California Health and Safety Code, Part 3, Section 40000 et seq., that has responsibility for administering VAVR enterprises within its jurisdiction.
(g) “Drive train parts" means all parts associated with the drive train such as engine, drive mechanism, transmission, differential, axles and brakes.
(h) “Emission reduction credit” means the amount of emission reductions from the accelerated retirement of vehicles, that can be applied to the emission reduction obligations of another source or to air quality attainment goals.
(i) "Emissions-related part" means any vehicle part which affects any regulated emissions from a vehicle that is subject to California or federal emissions standards and includes, but is not limited to, those parts specified in the "Emissions-Related Parts List," adopted by the State Board on November 4, 1977, as last amended.
(j) “Enterprise operator” means a person, who conducts a voluntary accelerated vehicle retirement enterprise according to these regulations, purchases vehicles, arranges for a vehicle’s permanent removal from operation, and receives any emission reduction credit generated.
(k) “Executive Officer” means the Executive Officer of the Air Resources Board (ARB).
(l) “High Emitting Vehicle” means a vehicle that is identified as one that is emitting pollution in excess of emission standards pursuant to Title 16, Division 33, Article 5.5, Section 3340.42 of the California Code of Regulations.
(m) “NOx” means oxides of nitrogen, NO and NO2, measured as NO2, emitted in vehicle exhaust.
(n) “PM” means particulate matter, as emitted in vehicle exhaust.
(o) “Remote sensing device (RSD)” means a device or devices that measure one or any combination of CO, NOx, and ROG concentrations in the exhaust of an on-road vehicle through infrared, ultraviolet, or other ARB-approved technology.

(p) “ROG” means reactive organic gases, as emitted in both vehicle exhaust and evaporative emissions.
(q) “Smog Check” means the motor vehicle inspection and maintenance program established by California Health and Safety Code Section 44000, et seq.
(r) “Useful life” means the physical condition of a vehicle proposed for retirement such that the vehicle passes the functional and equipment eligibility inspections, as defined in Section 2603 of this regulation, and has passed the last scheduled Smog Check.
(s) “VAVR enterprise” means a privately owned and/or operated business by an enterprise operator.
(t) “Voluntary accelerated vehicle retirement” or “VAVR” means a program in which cash payments or other incentives are offered to a vehicle owner to voluntarily retire their older, more polluting vehicle that is operational and still has a useful life.

NOTE: Authority cited: Sections 39600, 39601 and 44101, Health and Safety Code. Reference: Sections 39002, 39003, 43000, 43013, 44081, 44090, 44100, 44101, 44102, 44103, 44105 and 44122, Health and Safety Code.

§2602 District Responsibility
(a) Within six (6) months of the date of adoption of these regulations, each district allowing the operation of VAVR enterprises shall implement and enforce these regulations, or shall amend existing rules to comply with these regulations.
(b) Each participating district shall, with ARB oversight:
(1) Administering and auditing VAVR enterprises;
(2) Administer and monitor the use of credits generated by VAVR enterprises operated under these regulations in accordance with all state, federal, and local laws, rules, and regulations;
(3) Certify or reject the accuracy and validity of any credits generated, as required; and
(4) Retain the records received according to Section 2609(b) for a period not less than the life of the related credits.
(c) Each participating district shall verify that any vehicle accepted for participation in a VAVR enterprise within sixty-one to ninety (61 - 90) days of its next required Smog Check inspection has not failed the Smog Check inspection during this time frame.
(d) District approval to generate emission reduction credits shall be revoked if a VAVR enterprise operator demonstrates a recurrent pattern of accepting vehicles that do not meet the eligibility requirements pursuant to Section 2603 or if a VAVR enterprise operator violates any part of Section 2609(a).

NOTE: Authority cited: Sections 39600, 39601 and 44101, Health and Safety Code. Reference: Sections 39002, 39003, 43000, 43013, 44100 and 44101, Health and Safety Code.

§2603 Vehicle Eligibility
(a) To be eligible for generation of emission reduction credits through a VAVR enterprise, a vehicle shall meet the following criteria:

(1) It shall be voluntarily sold to the enterprise operator for a price mutually agreed between the vehicle seller and the enterprise operator;
(2) It shall be currently registered with the DMV as an operable vehicle and shall have been so registered for at least 24 months prior to the final date of sale to the VAVR enterprise to an address or addresses within the district in which the VAVR enterprise is being operated;
(A) Smog Checks must have been performed as required by the DMV in order for the vehicle to be considered registered;
(B) A vehicle may also be eligible if the owner of the vehicle placed the vehicle in planned non-operational status per Vehicle Code Section 4604, et seq., for a total of two (2) or fewer months during the continuous twenty-four (24) months registration period and occurring at least three (3) months prior to the date of sale to the VAVR enterprise operator;
(C) A vehicle may also be eligible if the registration has lapsed for less than 181 days during the previous twenty-four (24) months and all appropriate registration fees and late penalties have been paid to the DMV, provided that the vehicle is registered for at least ninety (90) days immediately prior to its date of sale to a VAVR enterprise operator; and
(D) Determination of an individual vehicle's registration history shall be based on:
1. Registration data for that vehicle obtained from DMV records and
2. If D.1 provides inconclusive results for an individual vehicle, then copies of the applicable vehicle registration certificates may be used;
(3) It shall be a passenger car or a light-duty truck that is defined as, but not limited to, a pick-up truck, SUV, or van up to 5,750 pounds gross vehicular weight rating;
(4) It shall not be operating under a Smog Check repair cost waiver or economic hardship extension;
(5) If a vehicle volunteered for retirement is within sixty (60) days of its next required Smog Check inspection, the vehicle shall pass the Smog Check inspection without receiving a repair cost waiver or economic hardship extension prior to acceptance by a VAVR enterprise operator;
(6) Owners of vehicles requiring Smog Check inspections pursuant to Section 2603(a)(5) shall be required to submit documentation issued by a Bureau of Automotive Repair (BAR) licensed Smog Check technician demonstrating compliance with Section 2603(a)(5) to the person performing the functional and equipment eligibility inspection; and
(7) Vehicles that are tampered, pursuant to Section 3340.41.5 of Title 16, Division 33, Article 5.5 of the California Code of Regulations, shall not be eligible for acceptance into a VAVR program.
(b) Each vehicle shall pass a functional and equipment eligibility inspection performed by the VAVR enterprise operator or other ARB-approved inspector (inspector), conducted on-site at the VAVR enterprise location and shall include the following:
(1) The candidate vehicle must have been driven to the inspection site under its own power. If an inspector has knowledge that a vehicle was towed or pushed for any portion of the trip to the inspection site, then the inspector shall not approve the vehicle for eligibility in a VAVR program;

(2) The inspector shall inspect the vehicle to ensure it meets the following equipment eligibility requirements and shall reject the vehicle for emission reduction credit generation if the vehicle fails any of these requirements:
(A) All doors shall be present and in place;
(B) The hood shall be present and in place;
(C) The dashboard shall be in place;
(D) Windshield shall be present and in place;
(E) The driver's seat must be present and in place;
(F) Interior pedals shall be operational;
(G) One bumper and all side and/or quarter panels shall be present and in place;
(H) Vehicle drivability must not be affected by any body, steering, or suspension damage;
(I) Exhaust system shall be present and in place;
(J) One headlight, one taillight and one brake light shall be present and in place;
(K) One side window glass shall be present and in place; and
(L) The requirements of Section 2603(a) regarding Smog Check status have been met; and
(4) The inspector shall complete the following functional eligibility inspection and shall reject the vehicle for credit generation if the vehicle fails to complete the following test: Insert key, vehicle engine shall start using keyed ignition system. In addition to the keyed ignition switch, ignition or fuel kill switch may be activated if required to start engine. The vehicle must start readily through ordinary means without the use of starting fluids or external booster batteries. The vehicle shall be driven forward for a minimum of 25 feet under its own power. The vehicle shall be driven in reverse for a minimum of 25 feet under its own power;
(5) Upon satisfactory completion of the inspection, the inspector shall issue a certificate of functional and equipment eligibility, as specified in Appendix A to this Article, "Vehicle Functional and Equipment Eligibility Inspection Form";
(6) Vehicles failing the requirements pursuant to Sections 2603(b)(1), (2), and (3), may be re-tested by the inspector for compliance with these requirements and issued a certificate of equipment eligibility at any time after modifications have been made to the vehicle to correct all deficiencies; and
(7) Vehicles failing the requirements pursuant to Section 2603(b)(4) may be re-tested by the inspector for compliance with these requirements and issued a certificate of functional eligibility provided inoperable vehicle odometers are fixed prior to conducting this test, the vehicle has traveled a minimum of 50 miles subsequent to the failure determination, and the vehicle passes the functional eligibility inspection.
(c) Districts may adopt vehicle functional and equipment eligibility inspection requirements that are more stringent than those specified in Section 2603(b) but may not omit or weaken any of the required functional or equipment tests.

NOTE: Authority cited: Sections 39600, 39601, 44101, and 44102, Health and Safety Code. Reference: Sections 39002, 39003, 43000, 43013, 44100, 44101, 44102, 44103 and 44107, Health and Safety Code.

§2604 VAVR Enterprise Operator Requirements
(a) All owners and operators of VAVR enterprises shall comply with all applicable district rules and these regulations.
(b) The enterprise operator shall either:
(1) Be an auto dismantler, licensed according to the requirements of the California Vehicle Code and other business codes and the regulations of the DMV, for the purpose of vehicle disposal after purchase or
(2) Have a binding agreement with a duly authorized auto dismantler for the purpose of vehicle disposal after purchase.
(c) At least thirty (30) days prior to commencing operations as a VAVR enterprise operation, the operator shall notify the local district, in writing, of the intent to conduct such operations;
(1) The notification shall be submitted as specified by the district and shall contain information demonstrating the ability of the enterprise operator to comply with all provisions of this regulation;
(2) This information shall include, but is not limited to, enterprise operator name and business address, licensed auto dismantler name and business address, anticipated initiation date and duration of vehicle retirement operation, time of vehicle intake; and
(3) The auto dismantler shall include a written statement under penalty of perjury certifying compliance with:
(A) Local water conservation regulations;
(B) State, county, and city energy and hazardous materials response regulations;
(C) Local water agency soil, surface, and ground water contamination regulations; and
(D) Any other information requested in applicable district rules.
(d) The local district shall have the right to refuse permission to generate emission reduction credits through VAVR to any requesting enterprise operator deemed by the local district as not meeting the requirements of these regulations or any applicable district rules.
(e) The district may assess an application fee to cover the costs of this approval process.
(f) The enterprise operator shall contract with an ARB-approved inspection entity to provide inspector services to perform the vehicle functional and equipment eligibility inspection specified in Section 2603(b) on-site at VAVR enterprise locations, if the VAVR enterprise operator is unable to or chooses not to perform this function.
(g) For each vehicle purchased as part of a VAVR enterprise and whose accelerated retirement creates emission reductions to be used as the basis for generating emission reduction credits, the enterprise operator shall:
(1) Verify that the vehicle meets the vehicle registration eligibility requirements of Section 2603(a) and
(2) Obtain from the vehicle owner the certificate of functional and equipment eligibility issued per Section 2603(b).
(h) At time of final sale of a vehicle to the VAVR enterprise, the enterprise operator shall verify that the person delivering the vehicle for sale is the legal owner or an authorized representative of the legal owner, properly empowered to complete the sale.
(i) The enterprise operator shall provide to the district, by the 5th day of each month, a list of all vehicles accepted for participation into a VAVR enterprise that are within sixty-

one to ninety days (61-90) of their next scheduled Smog Check inspection for the purpose of district compliance with Section 2602(c). Information to be provided for each vehicle includes, but is not limited to, vehicle identification number (VIN); vehicle license plate number; and vehicle make, model, and model year.
(j) Violation of any provision of these regulations by any entity contracted to a district to conduct a VAVR enterprise, including falsification of any information or data, shall constitute a citable violation making the violator subject to all applicable penalties specified in the California Health and Safety Code.
(k) Violation of any provision of Section 2603 by a VAVR enterprise operator or its subcontractors shall result in the issuance of a Notice of Violation(s).

NOTE: Authority cited: Sections 39600, 39601 and 44101, Health and Safety Code. Reference: Sections 39002, 39003, 43000, 43013, 44100, 44101, 44102, 44103, 44105, 44107 and 44120 Health and Safety Code.

§2605 Offering Vehicles to the Public
(a) There shall be a minimum period of ten (10) days between the day the VAVR enterprise operator provides a description of a vehicle to the local district and the day a DMV Registration 42 form (Notice to Dismantler) is transmitted to the DMV for the vehicle. During this period, if any person contacts the enterprise operator and indicates an interest in purchasing the vehicle, the enterprise operator shall hold the vehicle for a minimum of an additional seven (7) days. During this extended waiting period, the enterprise operator shall arrange for the interested party to examine the vehicle and, if appropriate, negotiate the sale of the vehicle or any of its parts. Notwithstanding the foregoing, nothing in this section places the enterprise operator under any obligation to hold the vehicle for an interested party that has missed two or more prior appointments to examine any vehicle, or sell the vehicle or any of its parts if a mutually acceptable price cannot be negotiated.
(1)The enterprise operator will submit to the local district a description of the vehicle including, at a minimum, the vehicle make, model year, and first eight characters of the VIN. The district will, in turn, make this information available to an appropriate segment of the public. The intent is to allow interested third parties, including car collector enthusiasts and those interested in affordable transportation, an opportunity to examine the car and to negotiate with the enterprise operator the purchase of the vehicle or any of its parts according to Section 2606.
(2) Entire vehicles and/or parts may be sold prior to entry into the program; however, no emission reduction credits shall be granted for any vehicle resold to the public in this manner according to Section 2606.

NOTE: Authority cited: Sections 39600, 39601 and 44101, Health and Safety Code. Reference: Sections 39002, 39003, 43000, 43013, 44100, 44101, 44102, 44103, 44105, 44107, 44109 and 44120, Health and Safety Code.

§2606 Parts Recycling and Resale

(a) On vehicles used for the generation of emission reduction credits, parts recycling and resale is limited to non-emission-related and non-drive train parts per the List of Emission-Drive Train Related Parts List shown in Appendix B to Article 1 – Emission/Drive Train-Related Parts List;
(1) Parts recycling is at the sole discretion of the VAVR enterprise operator, subject to the limitations included herein.
(b) After the ten-day waiting period (and additional seven-days if appointment for inspection is made) and prior to offering non-emission and non-drive train parts for resale, the engine, emission-related parts, transmission, and drive train parts must be removed from a vehicle used for the generation of emission reduction credits and destroyed by the enterprise operator, or the enterprise operator's duly contracted dismantler:
(1) For the purpose of this regulation, a part will be considered destroyed when it has been punched, crushed, shredded or otherwise rendered permanently and irreversibly incapable of functioning as originally intended;
(2) A checklist is provided in Appendix C to Article 1 – Quality Control Checklist with a list of emission-related and drive train parts;
(3) After all emission-related and drive train parts are removed and destroyed, a quality control inspector (designated by the VAVR enterprise operator) must perform an inspection of the non-emission-related and non-drive train parts as well as the vehicle body;
(4) Upon verification by the quality control inspector that no emission-related parts or drive train parts have been exchanged with the non-emission-related, and non-drive train parts, the quality control inspector must sign the checklist; and
(5) After the quality control inspector signs the check list, the dismantler may place the remaining non-emission parts, non-drive train parts and vehicle body in yard to be available for sale to public.
(c) If the VAVR enterprise operator does not recover parts from a vehicle, then the entire vehicle must be dismantled within 90 days of acquisition by the operator;
(1) No parts may be removed, for sale or reuse, from any dismantled retired vehicle for the purpose of generating emission reduction credits. The only allowable use for any crushed retired vehicle is as a source of scrap metal and other scrap material;
(2) An enterprise operator may separate ferrous and non-ferrous metals from a dismantled retired vehicle to sell as a source of scrap metal only; and
(3) An enterprise operator may sell tires and batteries from a dismantled retired vehicle to an intermediary tire/battery recycler only.
(A) All facilities generating or receiving waste tires must use the services of a registered tire hauler/recycler and
(B) Battery recyclers must be registered and licensed by the State of California to handle batteries.
(d) No emission reduction credits or other compensation with public funds shall be granted for any vehicle from which emission-related or drive train parts have been sold.
(e) All activities associated with retiring vehicles, including but not limited to the disposal of vehicle fluids and vehicle components, shall comply with:
(1) Local water conservation regulations;

(2) State, county, and city energy and hazardous materials response regulations; and
(3) Local water agency soil, surface, and ground water contamination regulations.
(f) Local districts are required to perform audits of all parts recycling and resale activities.

NOTE: Authority cited: Sections 39600, 39601 and 44101, Health and Safety Code. Reference: Sections 39002, 39003, 43000, 43013, 44100, 44101, 44102, 44103, 44105, 44107 and 44120 Health and Safety Code.

§2607 Advertising
(a) Any advertising conducted by an enterprise operator for the purpose of recruiting vehicle owners to sell their cars into a VAVR enterprise shall not contain any language stating that the VAVR enterprise is anything but voluntary for the consumer or that the VAVR enterprise is affiliated with or is operated by the State of California;
(1) Any contracts or agreements between a vehicle seller and an enterprise operator relating to the sale of a vehicle to a VAVR enterprise shall not contain any language stating that the VAVR enterprise is anything but voluntary for the consumer or that the VAVR enterprise is affiliated with or is operated by the State of California.
(b) Any enterprise operator requesting the DMV to send notices to vehicle owners as prospective VAVR participants, pursuant to Health and Safety Code Section 44103, shall meet the following requirements:
(1) Prominently display the disclaimer statement as follows: "This voluntary accelerated vehicle retirement enterprise is conducted by a private operator under the auspices of the State of California and your local air pollution control district/air quality management district. It is not operated by the State of California. State funds are not used for the purchase of vehicles. Emission reduction credits may be purchased by the State for air quality improvements. Your participation is entirely voluntary." and
(2) Provide the DMV with adequate criteria for selecting those registered vehicle owners who own the desired target vehicles which may consist of vehicle makes, models, model years, geographical locales, or any other criteria deemed acceptable or necessary by the DMV.

NOTE: Authority cited: Sections 39600, 39601 and 44101, Health and Safety Code. Reference: Sections 39002, 39003, 43000, 43013, 44100, 44101, 44102, 44103, 44105, 44107 and 44109, Health and Safety Code.

§2608 Emission Reduction Credits
(a) VAVR enterprise operators may generate emission reduction credits that can be sold on the open market.
(b) VAVR enterprise operators may not make emission reduction credits available for purchase until they are approved and issued by the district.
(c) Districts shall not approve and issue emission reduction credits unless a VAVR enterprise operator demonstrates compliance with all applicable provisions in this regulation.

(d) Each district shall be responsible for approving and issuing emission reduction credits generated to VAVR enterprise operators, based on data supplied by each enterprise operator pursuant to Sections 2609.
(e) A district shall not approve and issue emission reduction credits for any vehicle retired within sixty-one to ninety (61-90) days of its next required Smog Check inspection until it has verified that the vehicle did not fail its Smog Check inspection during that time frame pursuant to Section 2602(c). Emission reduction credits shall not be issued for any vehicle failing its Smog Check inspection during the sixty-one to ninety (61 - 90) day time frame.
(f) The default lifetime of emission reduction credits is three (3) years;
(1) The maximum credit amount shall be no greater than the calculated emission reduction on which the credit is based;
(2) Districts may apply a discount factor to credits calculated under these regulations, consistent with applicable district and Board credit rules and programs; and
(3) Credit usage shall be in accordance with all federal, state, and local laws and regulations in effect at time of usage.
(g) Emission reduction credits shall be generated by the retirement of any vehicle for reductions of NOx, ROG, CO, and PM where the magnitude of the credit for each pollutant shall be determined by the methodology described in Appendix D to this Article, "Calculation of Default Emission Reduction Credit."
(h) Extra emission reduction credits may be generated by the retirement of any high emitting vehicle for reductions of NOx, ROG, and PM when retired in accordance with Section 2610;
(1) A detailed methodology that will be used to calculate extra emission reductions in a high emitting vehicle VAVR program, as required by Section 2610(d), shall be submitted by the district of enterprise operator to the ARB for approval;
(2) The methodology for calculating extra emission reductions shall be consistent with the methodologies recommended by the ARB;
(3) The ARB shall publish the methodologies for calculating extra emission reductions in a publicly available program guideline;
(4) Any calculation of extra emission reductions that is not consistent with the methodology recommended by the ARB shall include a detailed and complete technical justification for the changes and differences;
(5) The ARB shall evaluate the methodology for calculating extra emission reductions within sixty (60) days of receipt using the following criteria:
(A) The methodology must clearly show how emissions are estimated from the raw data or initial measurements through the final emission rate in pounds per year;
(B) The methodology shall include all equations used to estimate the final emission rate, clearly define assumptions and constants, and include references for the derivation of any uncommon equations that are used; and
(C) The methodology shall contain an example calculation showing how the final emission rate was calculated from the raw data or initial measurement;
(D) The methodology must verify that emission reductions are real, surplus, quantifiable, and enforceable; and

(6) A detailed and complete technical justification for any other proposed change from the requirements of Section 2608 shall be provided with the high emitting vehicle VAVR plan.

NOTE: Authority cited: Sections 39600, 39601 and 44101, Health and Safety Code. Reference: Sections 39002, 39003, 43000, 43013, 44100, 44101, 44102, 44121 and 44122, Health and Safety Code.

§2609 Records and Auditing
(a) Districts and enterprise operators shall meet the following records and auditing requirements.
(b) An enterprise operator shall maintain and store the following information for each vehicle dismantled and used to generate emission reduction credits:
(1) Vehicle Identification Number (VIN);
(2) Vehicle license plate number;
(3) Vehicle model year;
(4) Vehicle odometer reading;
(5) Vehicle make and model;
(6) Name, address, and phone number of legal owner selling vehicle to the enterprise operator;
(7) Name, address, and phone number of registered owner if different from (b)(6);
(8) Name and business address of inspector conducting the vehicle's eligibility inspection, if the VAVR enterprise operator contracts with an ARB-approved inspection entity to perform the vehicle functional and equipment eligibility inspection;
(9) Date of purchase of vehicle by the enterprise operator;
(10) Date of vehicle retirement;
(11) The emission reduction amount claimed pursuant to Section 2608;
(12) Reproductions of California Certificate of Title and registration, as signed-off by the seller at time of final sale to the VAVR enterprise;
(13) Reproduction of the applicable certificate of functional and equipment eligibility;
(14) Reproduction of the applicable Notice to Dismantler (report of vehicle to be dismantled and notice of acquisition, DMV Registration 42 form);
(15) Reproduction of written documentation from the DMV verifying that a vehicle meets the requirements of Section 2603(a);
(16) If applicable, reproduction of documentation issued pursuant to Section 2603(a)(6); and
(17) Any other pertinent data requested by the district.
(c) Upon request of the district, the data required in Section 2609(b) shall be transmitted to the district in an electronic database format, mutually agreed upon between the district and the enterprise operator, in lieu of paper copies.
(d) The enterprise operator shall maintain copies of the information listed in Section 2609(b) for a minimum period of time commensurate with the life of the emission reduction credits generated from each vehicle pursuant to Section 2608 and shall make those records available to the ARB or district upon request.

(e) The district should conduct announced and unannounced audits and on-site inspections of VAVR enterprise operations to ensure that enterprises are being operated according to all applicable rules and regulations;
(1) The district shall report the results of any such audits and inspections to the Executive Officer, notify any non-compliant enterprise operator of the nature of the violation, and initiate any enforcement or remedial action necessary and
(2) Enterprise operators and their subcontractors shall allow the district to conduct announced and unannounced audits and inspections and shall cooperate fully.

NOTE: Authority cited: Sections 39600, 39601 and 44101, Health and Safety Code. Reference: Sections 39002, 39003, 42400, 42400.1, 42400.2, 42400.3, 42400.4, 42400.5, 42400.6, 42401, 42402, 42402.1, 42402.2, 42402.3, 42402.5, 42403, 43000, 43013, 43016, 44100, 44101, 44102, 44103, 44104.5, 44105, 44106 and 44107, Health and Safety Code.

§2610 Identification of High Emitting Vehicles
(a) Remote sensing devices (RSD) and other ARB-approved technologies, including but not limited to databases such as a high emitter profile or smoking vehicles, may be used to identify potential high emitting vehicles for voluntary entry into a VAVR program and to generate extra emission reduction credit.
(b) The use of these technologies in a VAVR program is entirely optional.
(c) A high emitting vehicle VAVR program using these technologies shall comply with all applicable requirements of these regulations.
(d) A detailed plan to operate a high emitting vehicle VAVR program shall be submitted to the ARB for approval and shall include:
(1) A description of the technology that will be used to identify high emitting vehicles;
(2) The application, operation, and maintenance of the technology including equipment and software; and
(3) The plan for the high emitting vehicle VAVR program shall not be implemented until written approval to proceed is received from the Executive Officer of the ARB.
(e) All equipment and software associated with the technology shall be calibrated, operated, and maintained in accordance with the latest, approved manufacturer's standard operating procedures or other ARB-approved equivalent documentation for that technology.
(f) Any extra emission reduction credit generated by the voluntary retirement of a high emitting vehicle shall be calculated according to the requirements of Section 2608(h).
(g) The high emitting vehicle VAVR plan shall be evaluated according the following criteria and approved or returned for modification within sixty (60) days by the ARB:
(1) The plan shall be approved, signed, and dated by a management level official who has the authority to approve such plans;
(2) The plan shall be complete; and
(3) The plan shall contain, at a minimum, the following elements:
(A) A detailed description of the type and model of all equipment and software used to identify high emitting vehicles;
(B) A detailed description of the operation of the technology including but not limited to set up, typical operation, location and location criteria, calibration, and maintenance;

(C) A copy of the standard operating procedures or protocols for that technology;
(D) The specific criteria to be used in the application of the technology to identify a high emitting vehicle;
(E) A detailed description of the methodology that will be used to calculate extra emission reduction credits including an example calculation;
(F) A listing of the personnel who will be operating the technology and their qualifications for such operation;
(G) A description of how the high emitting vehicle VAVR program will be administered and operated in compliance with all applicable requirements of this regulation; and
(H) A detailed description of any anticipated deviations from the standard operating procedures or protocols of the technology, as required by this Section, and the recommended methodology for calculating extra emission reduction credits, as specified in Section 2608(h).

NOTE: Authority cited: Sections 39600, 39601, 44101 and 44104.5, Health and Safety Code. Reference: Sections 39002, 39003, 43000, 43013, 44100, 44101, 44104.5 and 44105, Health and Safety Code.

Appendix A

VEHICLE FUNCTIONAL AND EQUIPMENT ELIGIBILITY INSPECTION FORM

VEHICLE FUNCTIONAL AND EQUIPMENT ELIGIBILITY INSPECTION FORM

Legal Owner: _____ Address: _____

City: _____ Zip: _____

VIN: _____ License Number: _____

Make: _____ Model: _____

Model Year: _____ Odometer Reading: _____

VEHICLE QUALIFICATION

Vehicle within 61-90 days of next scheduled Smog Check:	[] yes	[] no	2602(c)
If yes, vehicle failed next scheduled Smog Check:	[] yes*	[] no	
Vehicle registered in District for at least 24 months:	[] yes	[] no*	2603(a)(2)
Vehicle on BAR repair cost waiver	[] yes*	[] no	2603(a)(4)
Vehicle on BAR economic hardship extension	[] yes*	[] no	2603(a)(4)
Vehicle within 60 days of next scheduled Smog Check:	[] yes	[] no	2603(a)(5)
If yes, vehicle passed next scheduled Smog Check:	[] yes	[] no*	
The vehicle has been tampered with:	[] yes*	[] no	2603(a)(7)
The vehicle has been driven to the inspection site	[] yes	[] no*	2603(b)(1)

* Vehicle is not qualified for the VAVR program.

EQUIPMENT ELIGIBILITY The following shall be present and in place: 2603(b)(3)

All doors	[] yes	[] no*	Hood	[] yes	[] no*
Dashboard	[] yes	[] no*	Driver's seat	[] yes	[] no*
One bumper	[] yes	[] no*	All side and/or quarter panels	[] yes	[] no*
Exhaust system	[] yes	[] no*	One headlight	[] yes	[] no*
One taillight	[] yes	[] no*	One brake light	[] yes	[] no*
One side window	[] yes	[] no*	Interior pedals operational	[] yes	[] no*

FUNCTIONAL ELIGIBILITY The following shall be completed: 2603(b)(4)

Vehicle starts using keyed ignition	[] yes	[] no*
Vehicle starts without the use of starting fluids or external battery	[] yes	[] no*
Vehicle driven forward for a minimum of 25 feet	[] yes	[] no*
Vehicle driven in reverse for a minimum of 25 feet	[] yes	[] no*

* Vehicle is not eligible for the VAVR program.

INSPECTOR CERTIFICATION: (Check correct boxes.) I certify that this vehicle has ([] passed [] not passed) both the functional and equipment eligibility inspections and ([] is [] is not) eligible for acceptance into the VAVR program pursuant to California Code of Regulations, Title 13, Sections 2602 and 2603.

Printed Name: _____ Date: _____

Signed: _____

The following should be completed if the vehicle is eligible for acceptance into a VAVR program.

OWNER ACCEPTANCE: I accept receipt of this CERTIFICATION of eligibility into a VAVR program. I agree not to alter the vehicle's equipment or functionality from that presented to the inspector. I agree to maintain the vehicle's condition and registration until the vehicle is retired.

Printed Name: _____ Date: _____

Signed: _____

Appendix B

EMISSION/DRIVE TRAIN-RELATED PARTS LIST

State of California
Air Resources Board

Emission-Drive Train Related Parts List

Adopted November 4, 1977
Amended May, 1981
Amended June 1, 1990

The following list of components are examples of emission related parts as defined in Section 1900 (b) (3), Chapter 3, Title 13, California Code of Regulations.

I. Carburetion and Air Induction System

A. Air Induction System:

1. Temperature sensor elements
2. Vacuum motor for air control
3. Hot air duct & stove
4. Air filter housing & element
5. Turbocharger or supercharger
6. Intercooler

B. Emission Calibrated Carburetors:

1. Metering jets
2. Metering rods
3. Needle and seat
4. Power valve
5. Float circuit
6. Vacuum break
7. Choke mechanism
8. Throttle-control solenoid
9. Deceleration valve
10. Dashpot
11. Idle stop solenoid, anti-dieseling assembly
12. Accelerating pump
13. Altitude compensator

C. Mechanical Fuel Injection:

1. Pressure regulator
2. Fuel injection pump
3. Fuel injector

4. Throttle-position compensator
5. Engine speed compensator
6. Engine temperature compensator
7. Altitude cut-off valve
8. Deceleration cut-off valve
9. Cold-start valve

D. Continuous Fuel Injection:

1. Fuel pump
2. Pressure accumulator
3. Fuel filter
4. Fuel distributor
5. Fuel injections
6. Air-flow sensor
7. Throttle-position compensator
8. Warm-running compensator
9. Pneumatic overrun compensator
10. Cold-start valve

E. Electronic Fuel Injection:

1. Pressure regulator
2. Fuel distribution manifold
3. Fuel injectors
4. Electronic control unit
5. Engine speed sensor
6. Engine temperature sensor
7. Throttle-position sensor
8. Altitude/manifold-pressure sensor
9. Cold-start valve

F. Air Fuel Ratio Control:

1. Frequency valve
2. Oxygen sensor
3. Electronic control unit

G. Intake Manifold

II. Ignition System

A. Distributor

1. Cam
2. Points
3. Rotor

4. Condenser
5. Distributor cap
6. Breaker plate
7. Electronic components (breakerless or electronic system)

B. Spark Advance/Retard System:

1. Centrifugal advance mechanism:
   a. Weights
   b. Springs

2. Vacuum advance unit

3. Transmission controlled spark system:

   a. Vacuum solenoid
   b. Transmission switch
   c. Temperature switches
   d. Time delay
   e. CEC valve
   f. Reversing relay

4. Electronic spark control system:

   a. Computer circuitry
   b. Speed sensor
   c. Temperature switches
   d. Vacuum switching valve

5. Orifice spark advance control system:

   a. Vacuum bypass valve
   b. OSAC (orifice spark advance control) valve
   c. Temperature control switch
   d. Distributor vacuum control valve

6. Speed controlled spark system:

   a. Vacuum solenoid
   b. Speed sensor and control switch
   c. Thermal vacuum switch

C. Spark Plugs

D. Ignition Coil

E. Ignition Wires

III. Mechanical Components

A. Valve Trains:

1. Intake valves
2. Exhaust valves
3. Valve guides
4. Valve springs
5. Valve seats
6. Camshaft

B. Combustion Chamber:

1. Cylinder head or rotor housing[1]
2. Piston or rotor[1]

IV. Evaporative Control System

A. Vapor Storage Canister and Filter

B. Vapor Liquid Separator

C. Filler Cap

D. Fuel Tank

E. Canister Purge Valve

V. Positive Crankcase Ventilation System

A. PCV Valve
B. Oil Filler Cap

C. Manifold PCV Connection Assembly

VI. Exhaust Gas Recirculation System

A. EGR Valve:

[1] *Rotary (Wankel) engines only*

1. Valve body and carburetor spacer
2. Internal passages and exhaust gas orifice

B. Driving Mode Sensors:

1. Speed sensor
2. Solenoid vacuum valve
3. Electronic amplifier
4. Temperature-controlled vacuum valve
5. Vacuum reducing valve
6. EGR coolant override valve
7. Backpressure transducer
8. Vacuum amplifier
9. Delay valves

VI. Air Injection System

A. Air Supply Assembly:

1. Pump
2. Pressure relief valve
3. Pressure-setting plug
4. Pulsed air system

B. Distribution Assembly:

1. Diverter, relief, bypass, or gulp valve
2. Check or anti-backfire valve
3. Deceleration control part
4. Flow control valve
5. Distribution manifold
6. Air switching valve

C. Temperature sensor

VIII. Catalyst, Thermal Reactor, and Exhaust System

A. Catalytic Converter:

1. Constricted fuel filler neck
2. Catalyst beads (pellet-type converter)
3. Ceramic support and monolith coating (monolith-type converter)
4. Converter body and internal supports
5. Exhaust manifold

B. Thermal Reactor:

1. Reactor casing and lining
2. Exhaust manifold and exhaust port liner

C. Exhaust System:

1. Manifold
2. Exhaust port liners
3. Double walled portion of exhaust system
4. Heat riser valve and control assembly

IX. Miscellaneous Items Used in Above Systems

1. Hoses, clamps, and pipers
2. Pulleys, belts, and idlers

X. Computer Controls

1. Electronic Control Unit (ECU)
2. Computer-coded engine operating parameter (including computer chips)
3. All sensors and actuators associated with the ECU

XI. Drive Train Parts (added to Emission-Related Parts List.

1. Engine
2. Drive mechanism
3. Transmission
4. Differential
5. Axles
6. Brakes

Appendix C

QUALITY CONTROL CHECKLIST

Quality Control Check List

Check each box indicating whether the emissions-related or drive train part has been removed or destroyed. Insert N/A where a part is not in the original vehicle design.

Dismantler _____ Date _____
Address _____
Quality Control Inspector _____
Vehicle Make _____
Vehicle Model _____ Vehicle Year _____
Vehicle License Number_____
Vehicle Odometer Mileage _____

Category	Emission-Related Part	Part Removed	Part Destroyed
Air Induction System	Temperature sensor elements		
	Vacuum motor for air control		
	Hot air duct & stove		
	Air filter housing & element		
	Turbocharger or supercharger		
	Intercooler		
Emission Calibrated Carburetors	Metering jets		
	Metering rods		
	Needle and seat		
	Power valve		
	Float circuit		
	Vacuum break		
	Choke mechanism		
	Throttle-control solenoid		
	Deceleration valve		
Emission Calibrated Carburetors (continued)	Dashpot		
	Idle stop solenoid, anti-dieseling assembly		
	Accelerating pump		
	Altitude compensator		
Mechanical Fuel Injection:	Pressure regulator		
	Fuel injection pump		
	Fuel injector		
	Throttle-position compensator		
	Engine speed compensator		
	Engine temperature compensator		
	Altitude cut-off valve		
	Deceleration cut-off valve		
	Cold-start valve		

Category	Emission-Related Part	Part Removed	Part Destroyed
Continuous Fuel Injection:	Fuel pump		
	Pressure accumulator		
	Fuel filter		
	Fuel distributor		
	Fuel injections		
	Air-flow sensor		
	Throttle-position compensator		
	Warm-running compensator		
	Pneumatic overrun compensator		
	Cold-start valve		
Electronic Fuel Injection:	Pressure regulator		
	Fuel distribution manifold		
	Fuel injectors		
	Electronic control unit		
	Engine speed sensor		
	Engine temperature sensor		
	Throttle-position sensor		
	Altitude/manifold-pressure sensor		
Electronic Fuel Injection:	Cold-start valve		
Air Fuel Ratio Control:	Frequency valve		
	Oxygen sensor		
Air Fuel Ratio Control:	Electronic control unit		
Intake Manifold	Intake Manifold Assembly		
Distributor	Cam		
	Points		
	Rotor		
	Condenser		
	Distributor cap		
	Breaker plate		
	Electronic components (breakerless or electronic system)		
Spark Advance/ Retard System	Centrifugal advance mechanism: weights and springs		
	Vacuum advance unit		

Category	Emission-Related Part	Part Removed	Part Destroyed
	Transmission controlled spark system: vacuum solenoid, transmission switch, temperature switches, time delay, CEC valve, reversing relay		
	Electronic spark control system: computer circuitry, speed sensor, temperature switches, vacuum switching valve		
	Orifice spark advance control system: vacuum bypass valve, orifice spark advance control valve, temperature control switch, distributor vacuum control switch		
Spark Advance/ Retard System (continued)	Speed controlled spark system: vacuum solenoid, speed sensor and control switch, thermal vacuum switch		
Spark Plugs	Spark Plugs		
Ignition Coil	Ignition Coil		
Ignition Wires	Ignition Wires		
Drive Train	Engine		
	Flywheel		
	Bell Housing		
	Drive Shaft		
	Transmission		
	Differentials		
	Axles		
	Brakes		
Mechanical Components	Intake valves		
	Exhaust valves		
	Valve guides		
	Valve springs		
	Valve seats		
	Camshaft		
	Cylinder head or rotor housing		
	Piston or rotor		
Evaporative Control System	Vapor Storage Canister and Filter		

Category	Emission-Related Part	Part Removed	Part Destroyed
	Vapor Liquid Separator		
	Filler Cap		
	Fuel Tank		
	Canister Purge Valve		
Positive Crankcase Ventilation System	PCV Valve		
	Oil Filler Cap		
	Manifold PCV Connection Assembly		
Exhaust Gas Recirculation System	EGR Valve: valve body and carburetor spacer,		
	EGR Valve: internal passages and exhaust gas orifice		
Driving Mode Sensors	Speed sensor		
	Solenoid vacuum valve		
	Electronic amplifier		
	Temperature-controlled vacuum valve		
	Vacuum reducing valve		
	EGR coolant override valve		
Driving Mode Sensors (continued)	Backpressure transducer		
	Vacuum amplifier		
	Delay valves		
Air Injection System	Pump		
	Pressure-relief valve		
	Pressure-setting plug		
	Pulsed air system		
	Diverter		
	Relief, bypass, or gulp valve		
	Check or anti-backfire valve		
	Deceleration control part		
	Flow control valve		
	Distribution manifold		
	Air switching valve		
	Temperature sensor		
Catalytic Converter/Thermal Reactor/exhaust	Constricted fuel filler neck		
	Catalyst beads (pellet-type converter),		
	Ceramic support and monolith coating (monolith-type converter),		
	Converter body and internal supports,		
	Exhaust manifold		

Category	Emission-Related Part	Part Removed	Part Destroyed
	Reactor casing and lining		
	Exhaust manifold and exhaust port liner		
	Manifold		
	Exhaust port liners,		
	Double walled portion of exhaust system,		
	Heat riser valve and control assembly		
Miscellaneous Items Used in Above Systems	Hoses, clamps, and pipers		
	Pulleys, belts, and idlers		
Computer Controls	Electronic Control Unit (ECU)		
	Computer-coded engine operating parameter (including computer chips)		
	All sensors and actuators associated with the ECU		

Quality Control Inspector Final Verification All Emission-Related Parts Removed and Destroyed

Quality Control Inspector Signature:

_____

Date:

_____

Appendix D

CALCULATION OF DEFAULT EMISSION REDUCTION CALCULATIONS

VOLUNTARY ACCELERATED LIGHT-DUTY VEHICLE RETIREMENT PROGRAM DEFAULT EMISSION REDUCTIONS

ARB shall annually calculate the emission reductions for voluntary accelerated vehicle retirement. By December 31 of each year, ARB shall calculate the emission reductions for vehicles retired in the next calendar year and shall make them publicly available in tabular form.

For exhaust (tailpipe) emissions, the following equation is used to calculate emission reduction credits. Exhaust emission reduction credits may be generated from reductions in oxides of nitrogen (NOx), reactive organic gas (ROG), carbon monoxide (CO), and particulate matter (PM):

$$ExhReduction = [(ER_{retired} * VMT_{retired}) - (ER_{replacement} * VMT_{replacement})] * Life_{retired}$$

where:

ExhReduction= total emission reduction for tailpipe emissions (grams/life);

$ER_{retired}$ = the retired vehicle exhaust emission rate (grams/mile)
= the average exhaust emission rate of the model year vehicle retired calculated using ARB's emission inventory model;

$VMT_{retired}$ = the retired vehicle miles traveled (miles/year)
= the average VMT of the model year vehicle retired calculated using ARB's emission inventory model;

$Life_{retired}$ = the retired vehicle remaining life (years)
= 3 years;

$ER_{replacement}$ = the replacement vehicle exhaust emission rate (grams/mile)
= the fleet average exhaust emission rate calculated using ARB's emission inventory model;

$VMT_{replacement}$ = the replacement vehicle miles traveled (miles/year)
= $VMT_{retired}$

For evaporative emissions, the following equation is used to calculate emission reduction credits. Evaporative emission reduction calculations apply only to ROG emissions:

$$EvapReduction = \{[(ER_{runloss})_{retired} - (ER_{runloss})_{replacement}] * VMT_{retired} + [(ER_{hotsoak})_{retired} - (ER_{hotsoak})_{replacement}] * Trips_{retired} + [(ER_{diurnal})_{retired} - (ER_{diurnal})_{replacement}] * 365 \text{ days/year} +$$

$[(ER_{resting})_{retired} - (ER_{resting})_{replacement}] * 365 \text{ days/year}\} * Life_{retired}$

where:

EvapReduction = total lifetime reduction of evaporative ROG emissions (grams/life);

$(ER_{runloss})_{retired}$ = the retired vehicle running loss evaporative emission rate (grams/mile)
= the average running loss evaporative emission rate of the model year vehicle retired calculated using ARB's emission inventory model;

$(ER_{runloss})_{replacement}$ = the replacement vehicle running loss evaporative emission rate (grams/mile)
= the fleet average running loss evaporative emission rate calculated using ARB's emission inventory model;

$(ER_{hotsoak})_{retired}$ = the retired vehicle evaporative emission rate attributed to hot soak after shut down (grams/trip)
= the average hot soak evaporative emission rate of the model year vehicle retired calculated using ARB's emission inventory model;

$(ER_{hotsoak})_{replacement}$ = the replacement vehicle evaporative emission rate attributed to hot soak after shut down (grams/trip)
= the fleet average hot evaporative emission rate calculated using ARB's emission inventory model;

$(ER_{diurnal})_{retired}$ = the retired vehicle emission rate for evaporative emissions occurring while vehicle is not operating and during periods of ambient temperature increase (grams/day)
= the average diurnal evaporative emission rate of the model year vehicle retired calculated using ARB's emission inventory model;

$(ER_{diurnal})_{replacement}$ = the replacement vehicle emission rate for evaporative emissions occurring while vehicle is not operating and during periods of ambient temperature increase (grams/day)
= the fleet average diurnal evaporative emission rate calculated using ARB's emission inventory model;

$(ER_{resting})_{retired}$ = the retired vehicle emission rate for evaporative emissions occurring while vehicle is not operating and during periods of constant or decreasing ambient temperature (grams/day)
= the average resting evaporative emission rate of the model year vehicle retired calculated using ARB's emission inventory model;

$(ER_{resting})_{replacement}$ = the replacement vehicle emission rate for evaporative emissions occurring while vehicle is not operating and during periods of ambient temperature increase (grams/day)
= the fleet average resting evaporative emission rate calculated using ARB's emission inventory model;

$Trips_{retired}$ = number of trips per year expected from retired vehicle
= the average trips of the model year vehicle retired calculated using ARB's emission inventory model.